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*Attorneys for Plaintiffs*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTHERN CALIFORNIA  
San Jose Division**

**BINYAM MOHAMED;  
ABOU ELKASSIM BRITEL;  
AHMED AGIZA;  
MOHAMED FARAG AHMAD  
BASHMILAH;  
BISHER AL-RAWI**

**Plaintiffs,**

**v.**

**JEPPESEN DATAPLAN, INC.**

**Defendant.**

**Civil Action No. 5:07-cv-02798 (JW)**

**STIPULATION AND [PROPOSED]  
ORDER RE: PAGE LIMITS FOR  
PLAINTIFFS' OPPOSITION TO UNITED  
STATES' MOTION TO DISMISS, OR IN  
THE ALTERNATIVE, FOR SUMMARY  
JUDGEMENT**

1 JEFFREY S. BUCHOLTZ  
Acting Assistant Attorney General  
2 SCOTT N. SCHOOLS  
United States Attorney  
3 CARL J. NICHOLS  
Deputy Assistant Attorney General  
4 JOSEPH H. HUNT  
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12 *Attorneys for the United States of America*

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14 **STIPULATION AND PROPOSED ORDER**

15 WHEREAS on October 19, 2007, the United States filed a Motion to Intervene, and a  
16 separate Motion to Dismiss, or in the Alternative, for Summary Judgment, in this action,  
17 both of which are currently scheduled for argument on February 4, 2008;

18 WHEREAS, by Stipulation and Order of this Court dated November 2, 2007 the parties  
19 agreed upon a briefing schedule on the United States' Motions;

20 WHEREAS, Plaintiffs are seeking leave of court to file a sixty (60) page brief in support  
21 of their Opposition to United States Motion to Dismiss, or in the Alternative, for  
22 Summary Judgment.

23 WHEREAS Counsel for the United States does not oppose Plaintiffs' motion to file a  
24 brief of up to sixty (60) pages;

1 NOW THEREFORE, Plaintiffs and the United States, through their undersigned counsel,  
2 hereby stipulate to the following page limit and ask that the Court make this stipulation  
3 an order of the Court:

4 Plaintiffs shall be permitted to file a brief in opposition to United States Motion to  
5 Dismiss, or in the Alternative, for Summary Judgment not to exceed sixty (60) pages.

6 Dated: December 5, 2007

7 UNITED STATES DEPARTMENT OF JUSTICE

8 By: /s/ Michael P. Abate

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11 Michael P. Abate

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13 AMERICAN CIVIL LIBERTIES UNION FOUNDATION

14 By: /s/ Steven M. Watt

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16 \_\_\_\_\_  
17 Steven M. Watt

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19 Pursuant to General Order 45, Part X-B, the filer attests that concurrence in the  
20 filing of this document has been obtained from Michael P. Abate

21  
22 [PROPOSED] ORDER

23 Pursuant to the foregoing stipulation, and good cause appearing,

24 IT IS SO ORDERED

Dated: \_\_\_\_\_

Hon. James Ware  
United States District Court Judge

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing **ADMINISTRATIVE MOTION FOR ENLARGEMENT OF PAGES BY PLAINTIFF, STIPULATION AND [PROPOSED] ORDER RE: PAGE LIMITS FOR PLAINTIFFS' OPPOSITION TO UNITED STATES' MOTION TO DISMISS, OR IN THE ALTERNATIVE, FOR SUMMARY JUDGEMENT** will be served by means of the Court's CM/ECF system, which will send notifications of such filing to the following:

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SCOTT N. SCHOOLS  
United States Attorney

CARL J. NICHOLS  
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7

8 /s/ Steven M. Watt  
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